

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JONNA WASHINGTON,  
Plaintiff,

vs.

EVERBANK, et al.,  
Defendants.

Case No. 1:15-cv-354  
Dlott, J.  
Litkovitz, M.J.

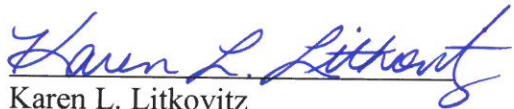
**ORDER**

This matter is before the Court on plaintiff's motion to strike defendants' untimely reply brief (Doc. 67), defendants' response in opposition (Doc. 69), and defendants' motion for leave to file their reply brief *instante* (Doc. 68).

Having reviewed the parties' filings, defendants' motion for leave to file their reply brief *instante* (Doc. 68) is hereby **GRANTED**. The Court will consider defendants' reply brief (Doc. 66) in ruling on defendants' motion for summary judgment. Accordingly, plaintiff's motion to strike (Doc. 67) is **DENIED**. However, to ensure that plaintiff is not prejudiced by defendants' untimely filing, the Court will consider the substantive arguments in plaintiff's motion to strike when ruling on defendants' motion for summary judgment. Therefore, the Clerk of Court is **DIRECTED** to file a copy of plaintiff's motion to strike (Doc. 67) as a sur-reply to defendants' motion for summary judgment.

**IT IS SO ORDERED.**

Date: 3/31/17

  
Karen L. Litkovitz  
United States Magistrate Judge